

FEDERAL BUREAU OF INVESTIGATION  
FOI/PA  
DELETED PAGE INFORMATION SHEET  
FOI/PA# 1480193-000

Total Deleted Page(s) = 17

Page 7 ~ b6; b7C;

Page 8 ~ b6; b7C;

Page 27 ~ b6; b7C; b7D; b7E;

Page 28 ~ b6; b7C; b7D; b7E;

Page 29 ~ b6; b7C; b7D; b7E;

Page 32 ~ Duplicate;

Page 33 ~ b6; b7C; b7D; b7E;

Page 34 ~ b6; b7C; b7D; b7E;

Page 42 ~ b6; b7C; b7D; b7E;

Page 43 ~ b6; b7C; b7D; b7E;

Page 50 ~ b6; b7C; b7D; b7E;

Page 51 ~ b6; b7C; b7D; b7E;

Page 52 ~ b6; b7C; b7D; b7E;

Page 53 ~ b6; b7C; b7D; b7E;

Page 54 ~ b6; b7C; b7D; b7E;

Page 55 ~ b6; b7C; b7D; b7E;

Page 56 ~ b6; b7C; b7D; b7E;

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

X Deleted Page(s) X

X No Duplication Fee X

X For this Page X

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

DIRECTOR, FBI (145-4460)  
(ATTN: FBI LABORATORY)

2/24/77

SAC, MILWAUKEE (145-286) (C)

[REDACTED], aka

ET AL, dba  
B & H Distributing Corp.  
New York, New York  
ITOM  
OO: MILWAUKEE

b6  
b7C

Re Bureau R/S dated 2/9/77.

For information of Laboratory, items Q1 through Q8  
upon return from Laboratory, were furnished to USM, WILLIAM  
BANTA, Madison, Wisconsin, on 2/24/70.

b6  
b7C

Upon conclusion of legal proceedings, AUSA [REDACTED]  
[REDACTED] WDW, Madison, advised on 3/8/76 all pornographic evidence  
in this case would be destroyed by the USM's office under  
court order.

3- Bureau  
1- Milwaukee

(4)

*Close*  
2/29/77  
[REDACTED]

ROUTE TO	[REDACTED]
READ FOR AT CIRC	[REDACTED]
MARK INDEXING	[REDACTED]
INITIAL	[REDACTED]
DATE	[REDACTED]
SEARCHED	[REDACTED]
SERIALIZED	[REDACTED]
FILED	[REDACTED]

b6  
b7C

145-286-90

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>MILWAUKEE</b>	OFFICE OF ORIGIN <b>MILWAUKEE</b>	DATE <b>8/21/70</b>	INVESTIGATIVE PERIOD <b>6/15/70 - 8/20/70</b>
TITLE OF CASE <b>[REDACTED], aka; ET AL; dba B &amp; H Distributing Corp., New York, New York, Bark Book Distributors, Inc., New York, NY</b>		REPORT MADE BY <b>SA [REDACTED]</b>	TYPED BY <b>[REDACTED]</b> b6 b7C
		CHARACTER OF CASE <b>ITOM</b>	

REFERENCE

Report of SA **[REDACTED]**, 6/22/70, Milwaukee.  
Dallas letter to Milwaukee, 6/25/70.

b6  
b7C

- P -

LEADMILWAUKEEAt Madison, Wis.

Will follow and report prosecution of subjects.

ACCOMPLISHMENTS CLAIMED					<input checked="" type="checkbox"/> NONE	ACQUIT- TALS  none	CASE HAS BEEN:	
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
							PENDING PROSECUTION OVER SIX MONTHS	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
APPROVED <b>[REDACTED]</b>						SPECIAL AGENT IN CHARGE		
COPIES MADE:						DO NOT WRITE IN SPACES BELOW		
2 - Bureau (145-4460)						145 286 50		
1 - USA, Madison								
2 - Milwaukee (145-286)								
Dissemination Record of Attached Report						Notations		
Agency						[REDACTED]		
Request Recd.						[REDACTED]		
Date Fwd.						[REDACTED]		
How Fwd.						[REDACTED]		
By						[REDACTED]		

b6  
b7C

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Madison

Report of: SA [REDACTED]  
Date: 8/21/70

Office: MILWAUKEE

b6  
b7C

Field Office File #: MI 145-286

Bureau File #: 145-4460

Title: [REDACTED]; ET AL;  
doing business as B & H Distributing Corporation,  
New York, New York, Bark Book Distributors,  
Inc., New York, New York

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: [REDACTED] awaiting motion to dismiss.

b6  
b7C

- P -

**DETAILS: AT MADISON, WISCONSIN**

On August 20, 1970, [REDACTED], Assistant United States Attorney, Western District of Wisconsin, advised that motions before the court to dismiss the indictments against [REDACTED] are still pending.

b6  
b7C**AT DALLAS, TEXAS**

## FEDERAL BUREAU OF INVESTIGATION

1Date 6/25/70

[redacted], Director of Security, Strickland Transportation System, 2011 Guldin Lane, furnished photostatic copies of pro bills numbered 85363018 and 85354880 as evidence. Pro bill number 85363018 reflects a two carton delivery consigned to [redacted] from Bark BK Dist Inc., 39 West 37th Street, New York City. Pro bill number 85354880 reflects a three carton shipment consigned to [redacted] from the B and H Distributing Corporation, 39 West 37th Street, New York, New York.

b6  
b7C

[redacted] stated the original records would be maintained in their proper order at the Strickland Transportation Systems' Office, 2011 Guldin Lane, Dallas, Texas.

b6  
b7C

On 6/15/70 at Dallas, Texas File # Dallas 145-441  
Milwaukee 145-286  
by SA [redacted] Date dictated 6/19/70

b6  
b7C

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>MILWAUKEE</b>	OFFICE OF ORIGIN <b>MILWAUKEE</b>	DATE <b>10/30/70</b>	INVESTIGATIVE PERIOD <b>10/22/70</b>
TITLE OF CASE [REDACTED], aka; ET AL; dba B & H Distributing Corp., New York, New York, Bark Book Distributors, Inc., New York, New York		REPORT MADE BY SA [REDACTED]	TYPED BY [REDACTED] b6 [REDACTED] b7C
		CHARACTER OF CASE  <b>ITOM</b>	

REFERENCE

Milwaukee report of SA [REDACTED], 8/21/70.

b6  
b7C- P -  
LEADSTHE MILWAUKEE DIVISIONAt Madison, Wisconsin:

Will follow and report prosecution of subjects.

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES	None		
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

[Signature] SPECIAL AGENT  
IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

2 - Bureau (145-4460)

1 - USA, Madison

(2) - Milwaukee )145-286)

 SEARCHED INDEXED  
 SERIALIZED FILED
b6  
b7C

145-286-52

## Dissemination Record of Attached Report

Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

## Notations

ROUTE

READ FOR ACC

MARK INDEXING

INITIAL

DATE

- A\* -  
COVER PAGE

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, MADISON

Report of: SA [REDACTED]  
Date: OCTOBER 30, 1970

Office: MILWAUKEE

b6  
b7C

Field Office File #: MI 145-286

Bureau File #: 145-4460

Title: [REDACTED]; ET AL;  
doing business as B & H Distributing Corporation,  
New York, New York, Bark Book Distributors, Inc.,  
New York, New York

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: [REDACTED] awaiting motions to dismiss.

b6  
b7C

- P -

DETAILS: At Madison, Wisconsin:

On October 22, 1970, [REDACTED], Assistant  
U. S. Attorney, Western District of Wisconsin, advised  
that motion before court to dismiss the indictments  
against [REDACTED]  
are still pending.

b6  
b7C

-1\*-

## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>MILWAUKEE</b>	OFFICE OF ORIGIN <b>MILWAUKEE</b>	DATE <b>12/4/70</b>	INVESTIGATIVE PERIOD <b>12/1/70</b>
TITLE OF CASE <b>[REDACTED] aka; ET AL; dba B&amp;H Distributing Corp., New York, New York, Bark Book Distributors, Inc., New York, New York</b>		REPORT MADE BY <b>SA [REDACTED]</b>	TYPED BY <b>[REDACTED] b6 [REDACTED] b7C</b>
		CHARACTER OF CASE <b>ITOM</b>	

REFERENCE: Milwaukee report of SA **[REDACTED]**, 10/30/70.

b6  
b7C

-P\*-

ADMINISTRATIVE:

Disposition Sheets, dated 12/4/70, re **[REDACTED]**  
**[REDACTED]** respectively,  
submitted.

This case is being placed in the pending inactive status  
for six months in view of pending appeal to U. S.  
Supreme Court.

ACCOMPLISHMENTS CLAIMED						<input checked="" type="checkbox"/> NONE	ACQUIT- TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES	NONE		
								PENDING OVER ONE YEAR <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

APPROVED

*[Signature]* SPECIAL AGENT  
IN CHARGE

COPIES MADE:

- 2 - Bureau (145-4460)  
1 - USA, Madison  
2 - Milwaukee (145-286)

DO NOT WRITE IN SPACES BELOW

145-286-53

b6  
b7C

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

DO NOT

REPO

MARK INDEX

INITIAL

DATE



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - USA, Madison

Report of: SA [REDACTED]  
Date: December 4, 1970

Office: MILWAUKEE

b6  
b7C

Field Office File #: MI 145-286

Bureau File #: 145-4460

Title: [REDACTED]  
ET AL; doing business as  
B&H Distributing Corporation,  
New York, New York, Bark Book Distributors, Inc.,  
New York, New York

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATTER

Synopsis: Indictment dismissed against [REDACTED] in  
U.S. District Court, Madison, on 11/24/70. USA plans to  
appeal.b6  
b7C

-p\*-

Details: On December 1, 1970, United States Attorney JOHN O. OLSON, Western District of Wisconsin, Madison, Wisconsin, advised that the motion to dismiss the indictment of [REDACTED] for violation of Title 18, Section 1462, United States Code, was granted by the Honorable JAMES E. DOYLE, Judge, Western District of Wisconsin, Madison, Wisconsin, on November 24, 1970. Mr. OLSON advised that he has petitioned the United States Department of Justice that he be granted the authority to appeal the dismissal to the Supreme Court of the United States. He is certain that the United States Department of Justice will allow this appeal. He further added he hoped to have the results of the appeal in six months.

b6  
b7C

1\*

(Mount Clipping in Space Below)

# Obscenity Case Ruling Reversed

By RICHARD BRADEE

Sentinel Washington Bureau

Washington, D. C. - The United States Supreme Court Monday reversed a ruling by Federal Judge James E. Doyle of Madison, Wis., who held that a section of the federal obscenity law was unconstitutional.

The case was sent back to Doyle's court with instructions that it be reconsidered in the light of two US Supreme Court decisions last month in obscenity cases.

Doyle's ruling came on Nov. 24, 1970, when he dismissed three indictments against five New York City book sellers who had transported admittedly obscene material to Wausau, Wis.

## Defendants Identified

The defendants were identified in court briefs as the B & H Dist. Corp., Bark Book Dist., Inc., R. Ford, H. Wasserman and Robert Barkow.

Doyle's ruling was based on a 1969 US Supreme Court decision that the private possession of obscene material is not a crime. In that case, the court held that the First Amendment to the Constitution prevented prosecution in such cases.

Doyle said that since the First Amendment protected the individual's right to receive obscene material, the amendment also protected the right to send such material in interstate transportation.

## Protection of Children

He pointed out that the obscenity law, as interpreted at that time, was intended to protect children and unwilling adults from exposure to obscene material.

The cases last month, however, determined that the right to privacy under the First Amendment did not protect those who were in the business of distributing obscene material.

The federal law provides a maximum of a \$5,000 fine or five years in prison for the first offense and a maximum of a \$10,000 fine or 10 year prison term for subsequent offenses.

## Indicted by Jury

The two corporations and three individuals had been indicted by a federal grand jury. Last Nov. 24, Doyle dismissed the indictments.

In his decision, Doyle said the federal law does not distinguish between transportation which presents danger to minors or the danger of obtrusion upon unwilling adults and transportation which does not present these dangers.

He said the dissemination of obscene matter through interstate transportation does not expose children to obscenity nor "assault the sensibility of an unwilling adult public" — among the Supreme Court guidelines on obscenity.

(Indicate page, name of newspaper, city and state.)

A-13

MILWAUKEE SENTINEL  
MILWAUKEE, WISCONSIN

Date: 6/22/71

Edition: FINAL

Author:

Editor:

Title:

b6  
b7C

Character:

or

Classification:

Submitting Office: MILWAUKEE

☐ Being InvestigatedSEARCHED  
SERIALIZEDJUN 23 1971  
FBI - MILWAUKEEb6  
b7C

MI ONLY

DIRECTOR, FBI (145-4460)

10/21/71

SAC, MILWAUKEE (145-286) (P)

[redacted] aka;  
et al; dba  
B & H Distributing Corp.,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

b6  
b7C

Re report of SA [redacted] dated  
12/4/70.

b6  
b7C

On 10/19/71, United States Attorney JOHN O. OLSEN,  
WDW, Madison, Wisconsin, advised that the United States  
Supreme Court reversed the ruling by Federal Judge JAMES E.  
DOYLE of Madison, Wisconsin in which, on November 24, 1970,  
Judge DOYLE dismissed the indictments against B. & H.  
Distributing Corp., Bark Book Distributors, Inc., both of  
New York. [redacted]

[redacted] stated that he is presently preparing  
the case against the above for trial in the very near future.

Milwaukee will follow and report prosecution of  
subjects.

2-Bureau  
2-Milwaukee

(4) [redacted]

b6  
b7C

*Rotor 5*

*Make*

*Reassigned to*

SEARCHED INDEXED  
SERIALIZED FILED

145-286-55

DIRECTOR, FBI (145-4460)

12/20/71

SAC, MILWAUKEE (145-286) P

[redacted], aka;  
ET AL; dba  
B & H Distributing Corporation,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

b6  
b7C

Re Milwaukee letter to Director, 10/21/71.

JOHN O. OLSON, USA, WDW, Madison, Wisconsin,  
advised on 12/9/71 that captioned matter is currently  
pending in the U. S. District Court at Madison, Wisconsin,  
and he is awaiting a ruling regarding a motion to dismiss  
from the defendants. OLSON stated that he does not now  
anticipate retrying captioned matter.

The Bureau will be kept advised of any prosecutive  
action.

b6  
b7C

2  
1  
[redacted]  
(3)

[redacted]

[redacted]

*Follow & keep  
Bureau advised -*

SEARCHED.....INDEXED.....  
SERIALIZED.....FILED.....

145-286-56

DIRECTOR, FBI (145-4460)

2/11/72

SAC, MILWAUKEE (145-286) (P)

aka;  
ET AL; dba  
B & H Distributing Corp.,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

b6  
b7C

Re Milwaukee letter to Bureau, 12/20/71.

JOHN O. OLSON, USA, WDW, Madison, Wisconsin, advised on 2/3/72, that there has been no change in the current status of captioned matter. He stated he is still awaiting a decision by the Honorable JAMES E. DOYLE, USDCJ, WDW, Madison, Wisconsin, regarding defendant's motion to dismiss.

Milwaukee will advise Bureau at such time if there is a change in the status of captioned matter, UACB.

Milwaukee will follow this matter with the USA.



b6  
b7C

145-286-57

2 - Bureau  
2 - Milwaukee (145-286)

(4)

SEARCHED	INDEXED
SERIALIZED	FILED

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286) -P-

DATE: 4-14-72

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED], aka  
ET AL, dba  
B & H Distributing Corp.,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

Re: Milwaukee letter to Bureau dated 2/11/72.

JOHN O. OLSON, USA, WDW, Madison,  
Wis., advised on 4/3/72, that there has been no change  
in the status of captioned matter.

## FORM O-1

Date Received 5/15/72

Date Returned .....

Report by .....

(2) - Milwaukee (145-286)  
[REDACTED]



145-286-58

SEARCHED	INDEXED
SERIALIZED	FILED
APR 14 1972	
FBI	

[REDACTED]

b6  
b7C



5/18/72

AIRTEL

AIRMAIL

TO: ACTING DIRECTOR, FBI (145-4460)

FROM: SAC, MILWAUKEE (145-286) P

SUBJECT: [REDACTED] aka;  
ET AL; dba  
B & H Distributing Corp.,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

b6  
b7C

Re MI letter to Bureau, 2/11/72.

JOHN O. OLSON, USA, EDW, Madison, Wisconsin, advised on 5/10/72 that there has been no change in the current status of captioned matter. He stated he is still awaiting a decision by the Honorable JAMES E. DOYLE, USDCJ, WDW, Madison, Wisconsin, regarding defendant's motion to dismiss.

Milwaukee will advise the Bureau when there is a change in the status of captioned matter, UACB.

Milwaukee will follow this matter with the USA.

2 - Bureau  
[REDACTED]



b6  
b7C

SEARCHED INDEXED  
SERIALIZED FILED

145-286-59

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286) (P)

DATE: 7/20/72

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED], aka;  
ET AL; dba  
B. & H. Distributing Corp.,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

On 7/12/72, AUSA [REDACTED], WDW, Madison, Wisconsin, advised that there had been no change in the status of captioned matter for quite some time. He stated he could not predict a date when this matter might be drawn to a close.

b6  
b7C

2 - Milwaukee

(2)



145-286-60

SEARCHED	INDEXED
SERIALIZED	FILED
JUL 21 1972	
FBI - MILWAUKEE	

b6  
b7C





ACTING DIRECTOR, FBI (145-4460)

7-21-72

SAC, MILWAUKEE (145-286) (P)

[REDACTED] aka;  
ET AL  
dba  
B & H DISTRIBUTING CORPORATION  
NEW YORK, NEW YORK  
BARK BOOK DISTRIBUTORS, INC.  
NEW YORK, NEW YORK  
ITOM

b6  
b7C

On 7-12-72, AUSA [REDACTED], WDW, Madison, Wisconsin, advised that there has been no change in the status of captioned matter for quite some time. He stated he could not predict a date when this matter might be concluded.

b6  
b7C

No report being submitted in this matter, UACB.

Milwaukee will follow this matter with the USA.

2 - Bureau  
1 - Milwaukee

[REDACTED]  
(3)



b6  
b7C

SEARCHED.....INDEXED.....  
SERIALIZED [REDACTED] FILED.....

145-286-61

ACTING DIRECTOR, FBI (145-4460)

9/18/72

SAC, MILWAUKEE (145-286)(P)

aka;  
ET AL; dba  
B & H Distributing Corp.,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

b6  
b7C

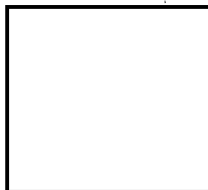
Re Milwaukee letter to Bureau, 7/21/72.

On 9/13/72, USA JOHN O. OLSON, WDW, Madison, Wisconsin, advised that there is still no change in the status of captioned matter and he is still awaiting a decision from the Honorable JAMES E. DOYLE.

OLSON said that he was of the opinion that under current standards set by the U.S. Supreme Court the evidence seized in captioned matter would probably not be considered pornography.

No report being submitted in this matter UACB.

Milwaukee will follow this matter with U.S. Attorney.



b6  
b7C

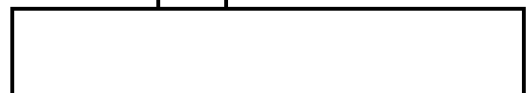
2 - Bureau  
(2) - Milwaukee (145-286)

(4)

SEARCHED  
SERIALIZED

INDEXED  
FILED

145-286-62



ACTING DIRECTOR, FBI (145-4460)

September 20, 1972

SAC, MILWAUKEE (145-286) (P)

[REDACTED], aka;

ET AL

dba B & H Distributing Corporation,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITCM

b6  
b7C

Re Milwaukee letter to the Bureau, September 18,  
1972.

On September 14, 1972, USA JOHN O. OLSON, WDW,  
Madison, Wisconsin, advised the Honorable JAMES E. DOYLE,  
Judge, Federal District Court, has ruled that the law  
prohibiting transportation of obscene materials interstate  
was unconstitutional because it was too broad.

OLSON stated DOYLE's reasoning for the decision  
was that the law did not distinguish between non-commercial  
possession of obscene books in one's home and while  
traveling interstate by public conveyance as compared with  
commercial interstate transportation of obscene materials.

OLSON said he has requested the United States  
Department of Justice to initiate another appeal to the  
United States Supreme Court regarding DOYLE's decision. He  
advised he anticipates the Justice Department will act upon  
his request as there is another case in court pending  
which will decide the issue.

No report being submitted in this matter, UACB.

Milwaukee will follow this matter with the USA.

2 - Bureau (145-4460)  
2 - Milwaukee (145-286)

(4)



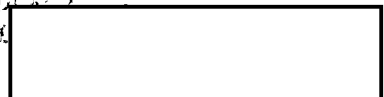
b6  
b7C

145-286-63

SEARCHED  
SERIALIZED

INDEXED

FILE



(Mount Clipping in Space Below)

## Judge Doyle Voids Law On Obscene Materials

A law against interstate transportation of obscene material has been declared unconstitutional in U. S. District Court on the grounds it abridges a person's right to possess such material for non-commercial purposes.

Judge James E. Doyle dismissed a case against a distributing firm and four other defendants, accused of transporting "obscene, lewd, lascivious and filthy magazines," to Wausau.

Although the defendants' actions appeared to be commercially motivated, the fact that the federal law does not allow for non-commercial transportation of obscenity makes it unconstitutional, Doyle said.

He said the U.S. Supreme Court ruled in 1969 that the First Amendment to the Constitution protects a person's right to possess obscene materials at home.

"I can see no rational basis to distinguish between non-com-

mercial possession of an obscene book in one's home and non-commercial possession of an obscene book while traveling interstate in a plane, bus or train," Doyle said in a five-page opinion.

"A defendant is not limited to a challenge of the statute as applied to him, even though the alleged conduct attributed to him is conduct which could constitutionally be proscribed by a more narrowly drawn statute," Doyle added.

(Indicate page, name of newspaper, city and state.)

A-6  
The Capitol Times  
Madison, Wisconsin

Date: 9/20/72

Edition:

Author:

Editor:

Title:

Character:

or

Classification: 145-286

Submitting Office: Milwaukee

☐ Being Investigated

145-286-64

SEARCHED	INDEXED
SERIALIZED	FILED
S	219

MI only

(Mount Clipping in Space Below)

## Ban on Bus Passenger's Obscene Magazine Voided

The question of whether it is illegal to transport obscene materials interstate on a bus, plane, or train may again find its way from the Federal District Court to the U.S. Supreme Court.

Federal Judge James E. Doyle Thursday ruled that a federal law prohibiting such interstate commerce was unconstitutional because it was too broad.

**TWO YEARS AGO** Doyle dismissed three counts against B and H Distributing Corp., New York City, another New York corporation, and three employees for transporting obscene magazines from New York to Wausau.

Doyle said at the time that such transport was protected by the First Amendment. U. S. Atty. John O. Olson appealed the decision to the nation's highest court, and the High Court overruled Doyle and returned the case for prosecution.

**THE BOOK** distributors then argued that the law was overbroad because it could include individuals that carry with them on a plane, bus, or train obscene books or magazines.

Doyle Thursday again found the law unconstitutional, but this time on the new grounds argued by the book distributors, and dismissed the indictment.

The U.S. Supreme Court has



**JUDGE DOYLE**

protected the right of a man to have obscene materials in his own home, Doyle said.

**"I CAN PERCEIVE** no rational basis to distinguish between non-commercial possession of an obscene book in one's home and non-commercial possession of an obscene book while traveling interstate in a plane, bus, or train," the judge said.

Olson said he had written the U.S. Dept. of Justice Thursday to get approval for another appeal to the U.S. Supreme Court of Doyle's new decision.

(Indicate page, name of newspaper, city and state.)

—D-1

Wisconsin State Journal  
Madison, Wisconsin

Date: 9/18/72

Edition:

Author:

Editor:

Title:

b6

b7c

Character:

or

Classification: 145-286

Submitting Office: Milwaukee

☐ Being Investigated

145-286-65

SEARCHED	INDEXED
SERIALIZED	FILED
FBI - MILWAUKEE	

MI only

ACTING DIRECTOR, FBI (145-4460)

11/17/72

SAC, MILWAUKEE (145-286) (P# [redacted])

[redacted], aka;

ET AL  
dba B & H Distributing Corporation,  
New York, New York;  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

OO: MILWAUKEE

Re Milwaukee letter to Bureau, 9/20/72.

On 11/9/72, [redacted], secretary for USA  
JOHN O. OLSON, WDW, Madison, advised that captioned file  
reflects that the Justice Department has authorized the  
filing of another appeal in captioned matter, and in fact  
the appeal has been filed.

No report being submitted in this matter, UACB.  
Milwaukee is placing this matter in pending inactive  
status subject to being reopened upon completion of appeal.

LEAD

CHICAGO

At Chicago, Illinois

Will follow and report results of appeal at the  
7 Circuit Court.

2 - Bureau  
2 - Chicago  
2 - Milwaukee

(6)  
[redacted]  
[redacted]

145-286-66

SEARCHED	[redacted]	INDEXED	[redacted]
SERIALIZED	[redacted]	FILED	[redacted]
NOV 1 1972			
FBI - MILWAUKEE			

[redacted]

Searched.....Serialized.....  
Indexed.....Filed.....

ACTING DIRECTOR, FBI (145-4460)

12/27/72

SAC, CHICAGO (145-588) (P)

[REDACTED], aka;  
ET AL  
ITOM

b6  
b7C

OO: MILWAUKEE

APPEAL

Re Milwaukee letter to Bureau dated 11/17/72.

A review of the Appellant - Appellee Index, U. S. Court of Appeals for the Seventh Circuit on December 8, 1972, by SA [REDACTED] reflected no appeal having been docketed in the captioned matter.

b6  
b7C

LEAD

MILWAUKEE

AT MADISON, WISCONSIN. Will review the Appellate Dockets of the United States Attorney's Office, Western District of Wisconsin, and will advise the Chicago Office the date the appeal was filed in this matter and the Court of Appeals Docket Number, so that the appeal in this matter may be followed.

2 - Bureau  
2 - Milwaukee (145-286)  
1 - Chicago

[REDACTED]  
(5)

b6  
b7C

145-286-67

SEARCHED	INDEXED
SERIALIZED	FILED
DEC 28 1972	
FBI - MILWAUKEE	

ACTING DIRECTOR, FBI (145-4460)

1/16/73

SAC, MILWAUKEE (145-286) (P\*)

[REDACTED], aka

ET AL  
ITOM

OO: Milwaukee

Re Chicago letter to Bureau, 12/27/72.

A review of the file in captioned matter on 1/11/73, at the U. S. Attorney's Office, Madison, Wisconsin, reflects that on 11/10/72, [REDACTED], Deputy Clerk of the U.S. District Court for the Western District of Wisconsin, transmitted a Record of Appeal from the United States District Court for the Western District of Wisconsin to the United States Supreme Court.

This matter has been captioned on the record as U.S.A. vs. B. & H. Distributing Corporation, etal. No appeal number for the U.S. Supreme Court was available in the USA's Office at the Clerk of the District Court, WDW.

LEADS

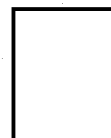
WASHINGTON FIELD OFFICE

At Washington, D.C.

Will follow appeal with the Supreme Court of the U.S. and report the results. (It should be noted that this is the second appeal of this matter to the Supreme Court.)

- 2 - Bureau
- 1 - Chicago (Info) (145-588)
- 2 - WFO
- 2 - Milwaukee

(7) [REDACTED]



145-286-69

b6  
b7C

b6  
b7C

b6  
b7C



UNITED STATES GOVERNMENT

# Memorandum

TO : Director, FBI

DATE:

1/18/73

FROM : SAC, WFO ( 145-NEW) (P)

SUBJECT: B & H Distributing Corp.;  
Bark Book Distributing, Inc.;

[REDACTED]

ITOM  
(OO:MI)

b6  
b7C

Docket of U. S. Supreme Court showed:

Case Number: 72-353

Title of Case: U.S. v. B & H Distributing Corp.; Bark Book  
Distributing, Inc., [REDACTED] and  
[REDACTED]

b6  
b7C

☐ Petition is still under consideration by the Court.

☐ Petition granted on \_\_\_\_\_.

☐ Petition denied on \_\_\_\_\_.

☒ Petition filed 12/11/72. No serious allegations  
made regarding FBI.

2 - Bureau  
2 - Milwaukee

1 - WFO

(5)

145-286-70

DEK  
ED

10 1973

b6  
b7C

ACTING DIRECTOR, FBI (145-4460)

FEB 8 1973

SAC, CHICAGO (145-588) (RUC)

[REDACTED], aka  
ET AL  
ITOM

b6  
b7C

OO: MILWAUKEE

APPEAL

Re Milwaukee letter to Bureau dated 1/16/73.

A recheck of the Dockets of the U. S. Court of Appeals for the Seventh Circuit on January 26, 1973, by SA [REDACTED] determined that no appeal has been docketed in the matter U. S. A. v. B & H Distributing Corporation, Et Al.

b6  
b7C

Inasmuch as the appeal in this matter was apparently taken directly from the U. S. District Court, Western District of Wisconsin, to the U. S. Supreme Court, no further action is being taken in this matter unless requested by the Milwaukee Office.

2 - Bureau  
2 - Milwaukee (145-286)  
1 - Chicago

[REDACTED]  
(5)

b6  
b7C

145-286-72  
SEARCHED [REDACTED] INDEXED [REDACTED]  
SERIALIZED [REDACTED] FILED [REDACTED]  
FEB 10 1973

[REDACTED]

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286)

DATE: 2/12/73

SAC, WFO (145-639) (P)

[REDACTED] aka  
ET AL  
ITOM  
(OO:MI)

b6  
b7C

Reurlet to Bureau, 1/16/73.

At U.S. Supreme Court no record for 1971 or 1972  
could be located for subject [REDACTED]

b6  
b7C

Milwaukee furnish all available identification data  
regarding this appeal for additional search at the Court.

2-Milwaukee  
1-WFO

[REDACTED]  
(3)



5010-108

145-286-73	
SEARCHED [REDACTED]	INDEX [REDACTED]
SERIALIZED [REDACTED]	FILED [REDACTED]
FEB 16 1973	

b6  
b7C

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

SAC, WFO (145-639)

February 28, 1973

SAC, MILWAUKEE (145-286) (P:)

[REDACTED], aka;

ET AL  
ITOM

b6  
b7C

OO: MILWAUKEE

Re WFO letter to Milwaukee, February 12, 1973.

Original appeal to the United States Supreme Court in captioned matter has been disposed of and there is no further action required by WFO on that appeal.

Current appeal, which WFO has been following, is still active and WFO should continue to follow.

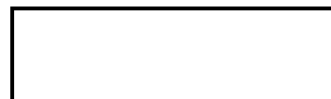
2 - WFO (145-639)  
2 - Milwaukee (145-286)

[REDACTED]  
(4)



b6  
b7C

SEARCHED  
SERIALIZED



145-286-74

ACTING  
DIRECTOR, FBI (145-4460)

3/23/73

SAC, WFO (145-639) (P)

CHANGED

[REDACTED]  
ET AL  
ITOM  
(OO:MI)

b6  
b7C

Title marked "Changed" and formerly was "B & H  
Distributing Corp.; Bark Book Distributing, Inc.;" [REDACTED]  
[REDACTED] (OO:MI)," as set out in WFO letter to  
Bureau, 1/18/73 (cc to MI). WFO has consolidated files. Suggest  
Bureau and MI do same.

Re MI letter to Bureau, 1/16/73.  
Docket of U. S. Supreme Court showed.

Case Number: 72-353

Title of Case: "B and H Dist. Corp.; Bark Book Dist, Inc.;" [REDACTED] b6  
[REDACTED] v. U.S. b7C

- ☐ Petition filed on \_\_\_\_\_ .
- ☒ Petition is still under consideration by the Court.
- ☐ Petition granted on \_\_\_\_\_ .
- ☐ Petition denied on \_\_\_\_\_ .
- ☐

The petition contained no serious allegations against the FBI.

- 2 - Bureau  
② - Milwaukee (145-286)

1 - WFO  
[REDACTED]

145-286-75 b6  
b7C

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 29 1973	
KEE	

UNITED STATES GOVERNMENT

# Memorandum

TO : ACTING DIRECTOR, FBI

DATE: 3/29/73

FROM : SAC, MILWAUKEE (66-1812)

SUBJECT: APPEALS IN BUREAU CASES  
MILWAUKEE DIVISION

Re Milwaukee letter to Bureau dated 6/18/68.

The following information is being set forth in accordance with instructions appearing in the Manual of Instructions, Part II, Section 8K:

On 3/26/73, United States Attorney DAVID J. CANNON, Eastern District of Wisconsin (EDW), Milwaukee, Wisconsin, advised that the following Bureau cases are currently being appealed:

SSN	[REDACTED]
SSA	[REDACTED]
[REDACTED]	

b6  
b7C

Appeal docketed on 2/5/73 is presently being reviewed by the 7th Circuit Court of Appeals, Docket Number 73-1118. Appeal challenges the constitutionality of the Selective Service Act.

10 - Bureau

- (1 - 25-633325)
- (1 - 145-4467)
- (1 - 15-70436)
- (1 - 165-628)
- (1 - 166-4632)
- (1 - 87-115409)
- (1 - 25-613758)
- (1 - 145-4460)

10 - Milwaukee (2 - 66-1812)

- (1 - 25-12838)
- (1 - 145-288)
- (1 - 15-5586)
- (1 - 165-45)
- (1 - 166-243)
- (1 - 87-8438)
- (1 - 25-11116)
- (1 - 145-286)

145-286-76

SEARCHED	INDEXED
SERIALIZED	FILED

b6  
b7C



(20)

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MI 66-1812

[REDACTED];

ITOM; BOND DEFAULT

[REDACTED]

b6  
b7C

Appeal challenges the constitutionality of Wisconsin's Obscenity Statute and has been argued twice before the Supreme Court; however, no decision has been rendered.

Mr. CANNON advised that notices of appeal have been filed in the following cases:

b6  
b7C

[REDACTED]

TFIS

[REDACTED]

Notice of appeal filed on 1/31/73.

[REDACTED]

ET AL

ITAR - GAMBLING

IGB

[REDACTED]

b6  
b7C

Notice of appeal filed on 2/2/73.

[REDACTED]

ET AL

ITAR - GAMBLING

IGB

[REDACTED]

b6  
b7C

Department of Justice handling appeal for government.

In all of the above cases Mr. CANNON advised that there were no issues challenging Bureau investigative techniques or actions of Bureau personnel.

MI 66-1812

United States Attorney JOHN O. OLSON, Western District of Wisconsin (WDW), Madison, Wisconsin, advised SA [REDACTED] that the following are Bureau cases presently under appeal within the WDW:

b6  
b7C

[REDACTED]  
ET AL  
ITSP; FRAUD BY WIRE

[REDACTED]  
Judgement affirmed on 1/10/73, but defendant has filed writ to Supreme Court.

[REDACTED]  
SSN [REDACTED]  
SSA [REDACTED]

b6  
b7C

On 3/14/73, judgement was affirmed, but mandate stayed for 30 days.

B&H Distributing Company  
ET AL  
ITOM  
Bufile 145-4460  
Mifile 145-286

On 9/14/72, appeal was remanded by the Supreme Court to the District Court. On 10/13/72, another notice of appeal was directed to the Supreme Court.

United States Attorney OLSON advised that none of the above appeals raise issue challenging Bureau investigative techniques or actions of Bureau personnel.

b6  
b7C



SAC, MILWAUKEE (145-333) (C)

4/18/73

SA [REDACTED]

b6  
b7C

B & J BOOKSTORE  
601 NORTH 5TH STREET  
MILWAUKEE, WISCONSIN  
ITOM

OO: MILWAUKEE

Re memo of SA [REDACTED] dated 2/24/73.

b6  
b7C

Spot checks at the B & J Bookstore on 3/12, 3/28, and 4/12/73 failed to reveal any hard core pornographic matter displayed or being sold from behind the counter.

Inasmuch as the owner of the B & J Bookstore is [REDACTED] subject of MI 145-286, it is recommended that this case be closed and if any further information is received concerning the B & J Bookstore it should be forwarded to MI 145-286.

b6  
b7C

[REDACTED] 1 - 145-333  
[REDACTED] (1) - 145-286  
[REDACTED] 1 - 66-1875

(3)

145-286-78

SEARCHED [REDACTED]	INDEXED [REDACTED]
SERIALIZED [REDACTED]	FILED [REDACTED]
APR 18 1973	
FBI—MILWAUKEE	

b6  
b7C

ACTING  
DIRECTOR, FBI (145-4460)

5/22/73

SAC, WFO ( 145-633) (P)

[REDACTED]

145-286

ET AL  
ITOM  
(OO:MI)

b6  
b7C

[REDACTED]

3/23/73 (cc to MI).

Docket of U. S. Supreme Court showed:

Case Number: 72-853

Title of Case: "B and H Dist. Corp.; Bark Book Dist, Inc.;  
[REDACTED] v.  
United States.

b6  
b7C

☐ Petition filed on \_\_\_\_\_.

☒ Petition is still under consideration by the Court.

☐ Petition granted on \_\_\_\_\_.

☐ Petition denied on \_\_\_\_\_.

☐

The petition contained no serious allegations against the FBI.

2 - Bureau  
(2) - Milwaukee (145-236)

1 - WFO

[REDACTED]

145-236

145-28677

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 23 1973	
FBI - MILWAUKEE	

[REDACTED]

[REDACTED]

[REDACTED]

b6  
b7C

ACTING  
DIRECTOR, FBI (145-4460)

6/26/73

SAC, WFO ( 145-638) (RUC)

[Redacted]

ET AL  
ITOM  
(OO:MI)

b6  
b7C

[Redacted]

5/22/73 (cc to Milwaukee).

Docket of U. S. Supreme Court showed:

Case Number: 72-853

Title of Case: "B and H Dist. Corp.; Bark Book Dist., Inc.;  
[Redacted] v.  
United States.

b6  
b7C

☐ Petition filed on \_\_\_\_\_.

☐ Petition is still under consideration by the Court.

☐ Petition granted on \_\_\_\_\_.

☐ Petition denied on \_\_\_\_\_.

☒ Judgment vacated, remanded to U.S. District Court for  
Western District of Wisconsin for further consideration  
re MILLER v. California \_\_ U.S. \_\_ (1973).

145-286-86

The petition contained no serious allegations against the FBI.

2 - Bureau  
(2) - (154-236)  
Milwaukee

1 - WFO

[Redacted]

(5)

145-286-86  
154-236  
154-236

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 29 1973	
FBI - MILWAUKEE	

[Redacted]

b6  
b7C

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI

FROM : SAC, MILWAUKEE (66-1812)

SUBJECT: APPEALS IN BUREAU CASES  
MILWAUKEE DIVISION

DATE: 7/10/73

Re Milwaukee letter to Bureau dated 3/24/73.

The following information is being set forth in accordance with instructions appearing in the Manual of Instructions, Part II, Section 8K:

On 6/25/73, U.S. Attorney DAVID J. CANNON, Eastern District of Wisconsin (EDW), Milwaukee, Wisconsin, advised that the following Bureau cases are currently being appealed:

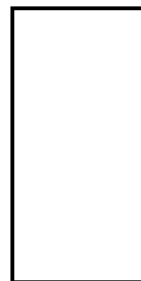
12 - Bureau  
1 - 15-70436  
1 - 165-628  
1 - 166-4632  
1 - 87-116256  
1 - 25-613758  
1 - 145-4460  
1 - 25-621597  
1 - 25-624371  
1 - 91-45420  
1 - 25-620981  
(12) - Milwaukee (2 - 66-1812)  
1 - 15-5586  
1 - 165-45  
1 - 166-243  
1 - 87-10810  
1 - 25-11116  
1 - 145-286  
1 - 25-11824  
1 - 25-11995  
1 - 91-4034  
1 - 25-11999

(24)



5010-108-02

*Reviewed file  
11/1/73*



145-286-81

SEARCHED ☐ INDEXED ☐  
SERIALIZED ☐ FILE ☐

b6  
b7C

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

MI 66-1812

[REDACTED], aka;  
aka

b6  
b7C

TEIS

[REDACTED]

[REDACTED]

ET AL  
ITAR - GAMBLING  
IGB

[REDACTED]

[REDACTED]

b6  
b7C

ET AL  
ITAR - GAMBLING  
IGB

[REDACTED]

[REDACTED]

aka

ET AL

[REDACTED] aka

ITSP. TEIS

[REDACTED]

On 6/5/73, Assistant U.S. Attorney [REDACTED]  
Western District of Wisconsin (WDW), Madison, Wisconsin,  
advised the following Bureau cases are presently under appeal:

b6  
b7C

[REDACTED]

SSN

SSA

[REDACTED]

B & H Distributing Company

ET AL

ITOM

Bufile 145-4460

MIfile 145-286

MI 66-1812

[REDACTED]

SSN

SSA

[REDACTED]

[REDACTED]

SSN

SSA

[REDACTED]

[REDACTED]

Et Al

BR - Conspiracy

[REDACTED]

[REDACTED]

SSN

SSA

[REDACTED]

b6  
b7C

In all of the above cases there is no issue  
challenging Bureau investigative techniques or actions of  
Bureau personnel.

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286) (P) ~~2~~

DATE: 11/2/73

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED]

ET AL  
ITOM

OO: MILWAUKEE

On 10/30/73, United States Attorney JOHN O. OLSON, Western District of Wisconsin, (WDW), Madison, Wisconsin, advised captioned matter is before Judge JAMES E. DOYLE, United States District Court, WDW, on a motion by defendants to dismiss. He stated he is awaiting Judge DOYLE'S decision.

OLSON advised the case seems to be stronger in view of recent Supreme Court decisions but he will evaluate it at a latter time to determine the prosecutive merit in terms of witness availability.

He stated he would advise the writer of any current changes in status but he did not anticipate a decision from Judge DOYLE for some time.

[REDACTED] 1 - Milwaukee  
[REDACTED]



5010-108-01

145-286-83

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 2 1973	
FBI-MILWAUKEE	

[REDACTED]

b6  
b7C

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286) (P)

DATE: 3/6/74

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED]

ET AL  
ITOM

OO: MILWAUKEE

In view of current assignment changes, it is recommended captioned matter be reassigned to SA [REDACTED]  
[REDACTED]

b6  
b7C

*4/4/75 - Received call from Supr. [REDACTED] advised re status of prosecution. On 4/1/75 SA [REDACTED] had on 4/1/75 filed that AUSA [REDACTED] WDW, Madison. [REDACTED] charges and ruling by judge expected in "one month." Supr [REDACTED] advised telephonically 4/1/75 by ASAC [REDACTED]*

(2 - Milwaukee)



5010-108-02

*Reassign*

145-286-84

SEARCHED	INDEXED
SERIALIZED	FILED
APR 10 1974	

b6  
b7C



UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286) (P)

DATE: 5/20/75

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED], aka

ET AL  
ITOM

OO: MILWAUKEE

On 5/15/75, [REDACTED], Secretary, Office of the United States Attorney, Western District of Wisconsin, Madison, Wisconsin, advised that this case is still officially in a pending motions category, however, she has heard that Assistant United States Attorney [REDACTED] intends to move for dismissal as the obtained evidence is no longer considered obscene.

b6  
b7C

## LEADS

### MILWAUKEE DIVISION

#### At Madison, Wisconsin

Will maintain contact with AUSA [REDACTED], Western District of Wisconsin, regarding progress in this matter.

b6  
b7C

*11/10/75  
AUSA advised all  
pre-trial motions resolved &  
trial date to be set.*

[REDACTED]

b6  
b7C



5010-110

- Milwaukee

145-286-85

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 20 1975	
FBI - MILWAUKEE	

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MILWAUKEE (145-286) (P)

DATE: 11/17/75

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED] aka;

ET AL;  
dba B&H Distributing Corporation,  
New York, New York,  
Bark Book Distributors, Inc.,  
New York, New York  
ITOM

OO: MILWAUKEE

Re reports of SA [REDACTED] dated  
12/4/70, 10/30/70, 6/22/70, 4/30/70, 3/19/70, 2/25/70 and  
1/29/70.

b6  
b7C

The extensive investigation in this matter was  
conducted by SA [REDACTED] Subsequently, he was reassigned  
to security type investigations and the matter was reassigned  
to SA [REDACTED] and to SA [REDACTED] Cur-  
rently SA [REDACTED] is assigned to criminal matters.

After an extensive period of pretrial motions, this  
matter is currently pending trial and it is logical to re-  
assign it to SA [REDACTED] during this period.

b6  
b7C

Therefore, it is requested that this matter be re-  
assigned to SA [REDACTED]

② - Milwaukee

[REDACTED]	[REDACTED]
2)	[REDACTED]

b6  
b7C



5010-110

Buy U.S. Savings Bonds Regularly on the

Savings Plan

11/19/75  
Re-assign to  
145-286-86  
SEARCHED  
SERIALIZED  
FBI - MILWAUK  
[REDACTED]

UNITED STATES GOVERNMENT

# Memorandum

TO : SAC, MI (145-286) (P)

DATE: 2/25/76

FROM : SA [REDACTED]

b6  
b7C

SUBJECT: [REDACTED], aka;  
ET AL  
ITOM

OO: MI

Re memo of SA [REDACTED], 11/17/75.

b6  
b7C

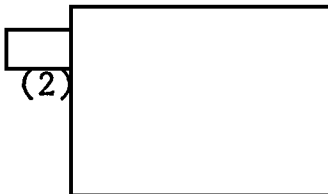
On 2/9/76, AUSA [REDACTED], WDW, Madison, Wisconsin, advised that he expects the corporations to plead guilty and receive a fine on 3/9/76. The complaints will then be dismissed against the individuals.

LEADS

MILWAUKEE DIVISION

At Madison, WI.

Will follow with USA.



145-286-87

SEARCHED..	INDEXED
SERIALIZED.	FILE
FEB 25 1976	

b6  
b7C



## FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE <b>MILWAUKEE</b>	OFFICE OF ORIGIN <b>MILWAUKEE</b>	DATE <b>3/15/76</b>	INVESTIGATIVE PERIOD <b>3/8/76-3/10/76</b>
TITLE OF CASE <div style="border: 1px solid black; width: 200px; height: 60px; display: flex; align-items: center; justify-content: center;">aka;</div>		REPORT MADE BY SA <div style="border: 1px solid black; width: 150px; height: 20px;"></div>	TYPED BY <div style="border: 1px solid black; width: 50px; height: 20px;"></div> b6 b7C
B & H Distributing Corporation, New York, New York, Bark Book Distributors, Inc., New York, New York		CHARACTER OF CASE  <b>ITOM</b>	

REFERENCES

Milwaukee report of SA , dated 12/4/70.  
Milwaukee letter to Bureau, dated 7/10/73.

b6  
b7C

- C -

ADMINISTRATIVE

For information of the Bureau, disposition sheets indicating dismissal of charges against subjects  were submitted with referenced report.

b6  
b7C

ACCOMPLISHMENTS CLAIMED					<input type="checkbox"/> NONE	ACQUIT-TALS	CASE HAS BEEN:
CON-VICT.	FUG.	FINES	SAVINGS	RECOVERIES			
2 - Milwaukee		\$4,000				NONE	PENDING OVER ONE YEAR <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
APPROVED		SPECIAL AGENT IN CHARGE		DO NOT WRITE IN SPACES BELOW			
COPIES MADE:		RECORD STATS.		145-286-88 SEARCHED <input type="checkbox"/> INDEXED <input type="checkbox"/> SERIALIZED <input type="checkbox"/> FILED <input type="checkbox"/>			
2 - Bureau (145-4460) 1 - USA, Madison ① - Milwaukee (145-286)		<div style="border: 1px solid black; width: 50px; height: 30px;"></div>		Stripped 3/17/76 <div style="border: 1px solid black; width: 50px; height: 20px;"></div>			
Dissemination Record of Attached Report					Notations		
Agency					ROUTE	<div style="border: 1px solid black; width: 50px; height: 50px;"></div>	
Request Recd.					READ FOR		
Date Fwd.					MARK IN		
How Fwd.					INITIAL		
By					DATE		

b6  
b7C

MI 145-286

On 3/10/76, U.S. Magistrate WILLIAM BANTA, Western District of Wisconsin, Madison, Wisconsin, advised that subjects were not printed again after the Supreme Court of the U.S. upheld Government appeal. Milwaukee, therefore, is not submitting disposition sheets.

COVER PAGE B\*

UNITED STATES DEPARTMENT OF JUSTICE  
Federal Bureau of Investigation

Copy to: 1 - USA, MADISON (ATTN: AUSA [REDACTED])

b6  
b7CReport of: SA [REDACTED]  
Date: MARCH 15, 1976

Office: MILWAUKEE

Field Office File #: MI 145-286

Bureau File #: 145-4460

Title:

Doing Business As  
~~XXXXXX~~ B & H Distributing Corporation  
New York, New York  
Bark Book Distributors, Incorporated  
~~XXXXXX~~ New York, New York

Character: INTERSTATE TRANSPORTATION OF OBSCENE MATERIAL

Synopsis: On 3/8/76, B & H Distributing Corp. pled guilty to 3 counts and Bark Book Distributors, Inc. pled guilty to 1 count violation Title 18, USC, Sec. 1462, in U.S.D.C., WDW, Madison, Wis., at which time fine of \$1,000 was assessed on each count. Charges against subjects [REDACTED] were dismissed.

b6  
b7C

- C -

Details:

On March 8, 1976, Assistant United States Attorney (AUSA) [REDACTED] Western District of Wisconsin (WDW), Madison, Wisconsin, advised that date B & H Distributing Corporation of New York, New York pled guilty to three counts and Bark Book Distributors, Incorporated of New York pled guilty to one count violation of Title 18, United States Code, Section 1462, in United States District Court for the WDW at Madison. These corporations were assessed a fine of \$1,000.00 for each count. Charges against [REDACTED] were dismissed.

b6  
b7C

1\*

Routing Slip  
0-7 (Rev. 7-11-75)

(Copies to Offices Checked)

TO: SAC:

<input type="checkbox"/> Albany	<input type="checkbox"/> Houston
<input type="checkbox"/> Albuquerque	<input type="checkbox"/> Indianapolis
<input type="checkbox"/> Alexandria	<input type="checkbox"/> Jackson
<input type="checkbox"/> Anchorage	<input type="checkbox"/> Jacksonville
<input type="checkbox"/> Atlanta	<input type="checkbox"/> Kansas City
<input type="checkbox"/> Baltimore	<input type="checkbox"/> Knoxville
<input type="checkbox"/> Birmingham	<input type="checkbox"/> Las Vegas
<input type="checkbox"/> Boston	<input type="checkbox"/> Little Rock
<input type="checkbox"/> Buffalo	<input type="checkbox"/> Los Angeles
<input type="checkbox"/> Butte	<input type="checkbox"/> Louisville
<input type="checkbox"/> Charlotte	<input type="checkbox"/> Memphis
<input type="checkbox"/> Chicago	<input type="checkbox"/> Miami
<input type="checkbox"/> Cincinnati	<input checked="" type="checkbox"/> Milwaukee
<input type="checkbox"/> Cleveland	<input type="checkbox"/> Minneapolis
<input type="checkbox"/> Columbia	<input type="checkbox"/> Mobile
<input type="checkbox"/> Dallas	<input type="checkbox"/> Newark
<input type="checkbox"/> Denver	<input type="checkbox"/> New Haven
<input type="checkbox"/> Detroit	<input type="checkbox"/> New Orleans
<input type="checkbox"/> El Paso	<input type="checkbox"/> New York City
<input type="checkbox"/> Honolulu	<input type="checkbox"/> Norfolk

<input type="checkbox"/> Oklahoma City
<input type="checkbox"/> Omaha
<input type="checkbox"/> Philadelphia
<input type="checkbox"/> Phoenix
<input type="checkbox"/> Pittsburgh
<input type="checkbox"/> Portland
<input type="checkbox"/> Richmond
<input type="checkbox"/> Sacramento
<input type="checkbox"/> St. Louis
<input type="checkbox"/> Salt Lake City
<input type="checkbox"/> San Antonio
<input type="checkbox"/> San Diego
<input type="checkbox"/> San Francisco
<input type="checkbox"/> San Juan
<input type="checkbox"/> Savannah
<input type="checkbox"/> Seattle
<input type="checkbox"/> Springfield
<input type="checkbox"/> Tampa
<input type="checkbox"/> Washington Field
<input type="checkbox"/> Quantico

TO LEGAT:

<input type="checkbox"/> Bern
<input type="checkbox"/> Bonn
<input type="checkbox"/> Brasilia
<input type="checkbox"/> Buenos Aires
<input type="checkbox"/> Caracas
<input type="checkbox"/> Hong Kong
<input type="checkbox"/> London
<input type="checkbox"/> Madrid
<input type="checkbox"/> Manila
<input type="checkbox"/> Mexico City
<input type="checkbox"/> Ottawa
<input type="checkbox"/> Paris
<input type="checkbox"/> Rome
<input type="checkbox"/> Tel Aviv
<input type="checkbox"/> Tokyo

RE

Date

2/9/77

b6

b7C

B & H DISTRIBUTING CORP.

NEW YORK, NEW YORK

ITOM

- ☐ For information      Retention ☐ optional      For appropriate ☒ action      Surep, by \_\_\_\_\_
- ☐ The enclosed is for your information. If used in a future report, ☐ conceal all sources, ☐ paraphrase contents.
- ☐ Enclosed are corrected pages from report of SA \_\_\_\_\_ dated \_\_\_\_\_

Remarks:

Since closing report has been submitted in this matter you are requested to resubmit Q 1 through Q 8 to the Laboratory in order that suitable disposition can be made of those items.

Advise FBIHQ, attention Laboratory if those items are not available for resubmission and suitable disposition. C 145-286-89

Enc.

Bufile 145-4460

Urfile

145-286

b6

b7C

# FILES AND RECORDS DESTRUCTION ORDER

Date 3/15/76TO: SAC, MILWAUKEEFROM: SA RE: File No. MI 145-286b6  
b7C

I have reviewed this file, and under the criteria set forth in Part II, Section 3, of Manual of Rules and Regulations, this file should be:

☒ **Destroyed**under the ☐ 120-day Rule ☐ 1-year Rule ☐ 5-year Rule ☒ 10-year Rule☐ **Retained****Justification for Retention is as Follows:**

---

---

---

---

---

---

---

---

Case Agent's Initials

Supervisor's Initials

b6  
b7C